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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

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KERRY CONNELLY,	Case No. 1:21-cv-00746-DAD-SAB
Plaintiff,	ORDER REQUIRING PLAINTIFF TO SHOW CAUSE WHY MATTER SHOULD NOT BE DISMISSED FOR FAILURE TO COMPLY AND FAILURE TO PROSECUTE
v.	
STARBUCKS CORPORATION,	**FIVE-DAY DEADLINE**
Defendant.	

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On March 29, 2021, Kerry Connelly ("Plaintiff"), on behalf of herself and all others similarly situated, filed this action in the Stanislaus County Superior Court against Starbucks Corporation ("Defendant") alleging violations of California labor law. (ECF No. 1-2.) On May 7, 2021, Defendant removed the action to the Eastern District of California. (ECF No. 1.)

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On June 24, 2021, the Court issued a scheduling order. (ECF No. 7.) Pursuant to the scheduling order, the deadline to file a motion for class certification was January 18, 2022. (Id.) That deadline has passed, and no motion has been filed, nor has Plaintiff requested an extension of time to do so.

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Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of the Court." The Court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate,

1 including dismissal of the action. <u>Bautista v. Los Angeles County</u>, 216 F.3d 837, 841 (9th Cir.

2 2000).

3   Accordingly, IT IS HEREBY ORDERED that PLAINTIFF SHALL SHOW CAUSE IN

4 WRITING within **five (5) days** of the date of entry of this order why this matter should not be

5 dismissed for failure to comply with the June 24, 2021 order, and failure to prosecute. **Plaintiff**

6 **is forewarned that the failure to show cause may result in the imposition of sanctions,**

7 **including the dismissal of this action for failure to prosecute.**

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9 IT IS SO ORDERED.

10 Dated: **March 1, 2022**

UNITED STATES MAGISTRATE JUDGE

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